

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America
v.
Aion Overman

Case: 2:23-mj-30261
Assigned To : Unassigned
Assign. Date : 6/24/2023
CMP: USA v OVERMAN

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 22, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

Code Section
18 U.S.C. § 922(o)

Offense Description
Illegal Possession of a Machinegun

This criminal complaint is based on these facts:
See attached affidavit

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: June 24, 2023

City and state: Detroit, MI

Complainant's signature

Special Agent Jameria Caldwell
Printed name and title

Judge's signature

Elizabeth Stafford, U.S. Magistrate Judge
Printed name and title

IN THE UNITED STATES DISTRICT COURT
FOR EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AFFIDAVIT IN SUPPORT OF
AN CRIMINAL COMPLAINT

I, Jameria Caldwell, being first duly sworn, hereby state:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosive (ATF) and have been for approximately seven years. I graduated from the Criminal Investigator Training Program and the ATF Special Agent Basic Training Program at the Federal Law Enforcement Training Center in Glynco, Georgia. During my employment with the ATF, I have conducted and/or participated in numerous criminal investigations focused on firearms, narcotics, armed drug trafficking violations, and criminal street gangs.

2. I make this affidavit from personal knowledge based on my participation in this investigation, including interviews conducted by myself and/or other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, review of reports by myself and/or other law enforcement agents, and information gained through my training and experience. The information outlined below is provided for the limited purpose of establishing probable cause and does not contain all details or all facts of which I am aware relating to this investigation.

3. ATF is currently conducting a criminal investigation concerning Aion OVERMAN (B/M; DOB: XX/XX/2003) for violation of 18 U.S.C. § 922(o) (illegal possession of machine gun).

PROBABLE CAUSE

4. Title 18, United States Code, Section 922(o) prohibits the possession of a machinegun manufactured after May 19, 1986. An individual can affix a machinegun conversion device to a Glock pistol to make the pistol shoot automatically and function as a machinegun. Pursuant to 18 U.S.C. § 921(a)(23), the term “machinegun” has the meaning given such term in section 5845(b) of the National Firearms Act (NFA) (26 U.S.C. § 5845(b)). Under the NFA, the term “machinegun” means “any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.” 26 U.S.C. § 5845(b). A machinegun conversion device – commonly referred to as “Glock Switch” or “Glock Auto Sear” – is a part, or combination of parts, designed and intended for use in converting a semiautomatic

Glock pistol into a weapon that shoots automatically more than one shot, without manual reloading, by a single function of the trigger machinegun; therefore, it is a “machinegun.” Further, ATF is not aware of any machinegun conversion devices for Glock pistols that were developed before May 19, 1986. As such, machinegun conversion devices for Glock pistols are considered post-1986 machineguns.

5. On June 22, 2023, at approximately 8:00 p.m., Detroit Police officers patrolling the area of Grand River Avenue and St. Mary’s Street in Detroit observed a Dodge Durango parked on a sidewalk, blocking pedestrian traffic. The officers—driving a semi-marked scout car—pulled up to the Durango and turned on their overhead lights to investigate the vehicle.

6. As the officers began to exit the scout car, the front seat passenger of the Durango, Aion OVERMAN, got out of the car and ran from the officers. The officers chased after OVERMAN, giving him commands to stop. OVERMAN disregarded the officers’ orders and continued to run. One of the officers returned to the Durango, which was still occupied by the driver, J.A.

7. The DPD officer approached the Durango and opened the passenger door to speak with J.A. When he opened the door, the officer observed J.A. reaching into the back passenger area with a black object. The officer gave J.A. commands to stop reaching into the back, which J.A. continually disregarded.

Ultimately, the officer handcuffed J.A. from to the steering wheel and recovered two handguns from the back passenger seat area of the vehicle.

8. OVERMAN was apprehended by the second DPD officer after a short foot chase. The officer placed OVERMAN in the back of the scout car and placed him in handcuffs. OVERMAN opened the back door of the scout car and fled from officers a second time. The officer chased after OVERMAN, caught up to him, and apprehended him a second time.

9. The officers seized a loaded Sig Saur P365 handgun from behind the driver's seat and a Glock Gen5 handgun loaded with a round in the chamber and equipped with a blue machinegun conversion device (MCD) from underneath the middle of the back seat. The Glock Gen5 did not have a magazine inserted into it, but officers also located a loaded extended magazine in the back seat area. The firearms are pictured in Image 1 below. Image 2 is zoomed in to the blue MCD.



Image 1



Image 2

10. After his arrest, agents and officers reviewed Instagram stories of individuals who associate with OVERMAN. An Instagram user posted an Instagram story at approximately 3:00 a.m. on June 23, 2023. The story was a video of an individual appearing to be OVERMAN in the front seat of a vehicle wearing gray Adidas athletic pants—the same pants OVERMAN was arrested in—and rainbow colored Croc shoes. The video was tagged 1:43 p.m. and was captioned “Just was with u earlier Brotha [laughing emojis and broken heart emojis] mfs thought I was with a girl.” In the video, OVERMAN appears to have a firearm with an extended magazine tucked into the left side of his waistband. The firearm is consistent with the Glock firearm recovered from the Durango. Image 3 is a screenshot from the video. Image 4 is zoomed in on the firearm.



Image 3

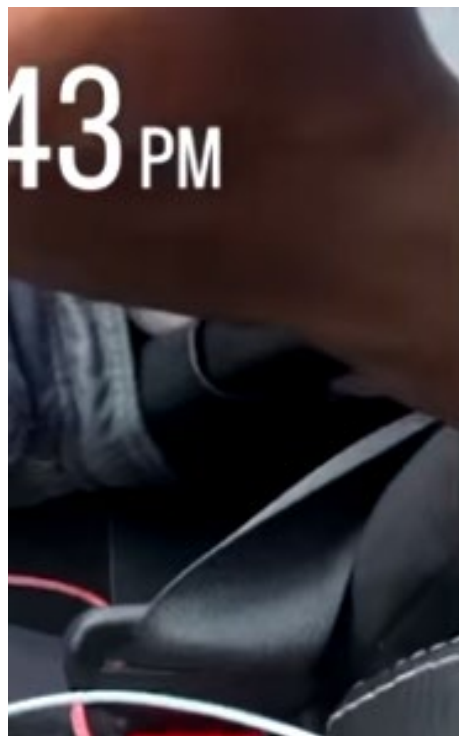


Image 4

11. Affiant and other agents and officers also reviewed stories and content posted by the Instagram account “0703duke”, which is an account that law enforcement has associated with OVERMAN. OVERMAN is the suspect in an ongoing home invasion investigation. A civilian witness provided officers a screen recording of Instagram stories posted by the user of the “0703duke” account on or about June 16, 2023. In those stories, OVERMAN is seated with several firearms and large amounts of U.S. currency at his feet. At least three of the firearms appear to be Glock-style firearms equipped with machinegun conversion devices. One of the firearms—a Glock-style firearm equipped with a blue machinegun conversion device—appears to be the same firearm recovered from the Durango on June 22, 2023. Image 4 and Image 5 are screenshots from the story. Image 6 is a zoomed in view of Image 5.

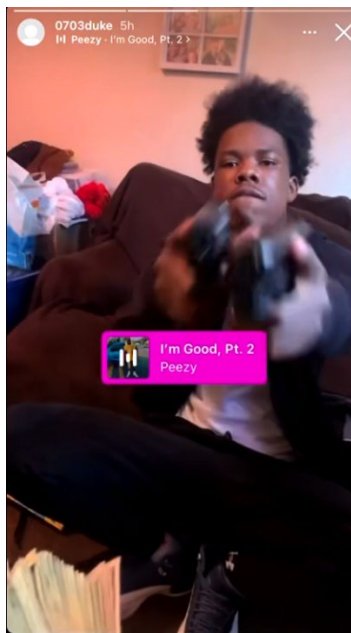


Image 4



Image 5



Image 6

12. ATF Special Agent Kenton Weston viewed a photograph of the Glock Gen5 handgun recovered in this case. In addition to basic ATF training, SA Weston is a graduate of a specialized course on privately made firearms and machinegun conversion devices (PMF/MCD). SA Weston has provided instruction to DPD officers on the identification of PMFs and MCDs. SA Weston has experience in the investigation, seizure, and examination of dozens of PMFs and MCDs. After viewing the photo, SA Weston confirmed that the device affixed to the firearm appeared to be a machinegun conversion device (MCD), colloquially referred to as a “Glock Switch.”

13. I know from reviewing publicly available information that Glock Gen5 handguns were not sold by Glock prior to 2017. Therefore, OVERMAN's firearm was first sold into commerce after May 19, 1986.

CONCLUSION

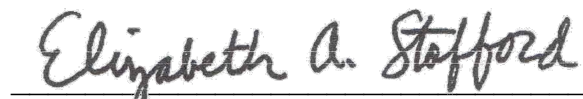
14. Based upon the aforementioned facts stated herein, there is probable cause to believe Aion OVERMAN (B/M; DOB: XX/XX/2003), did knowingly and intentionally possess a Glock Gen5 handgun equipped with a machinegun conversion device, in violation of 18 U.S.C. 922(o) (illegal possession of machine gun). Said violation occurring on or about June 22, 2023, in the city of Detroit, in the County of Wayne, in the Eastern Judicial District of Michigan.

Respectfully submitted,



Jameria Caldwell
Special Agent, ATF

Sworn to before me and signed in my presence
and/or by reliable electronic means.



Hon. Elizabeth Stafford
United States Magistrate Judge

Dated: June 24, 2023